

**In the United States District Court
for the Southern District of Georgia
Brunswick Division**

UNITED STATES OF AMERICA,

v.

CR 219-005-3

TERRY HYDE,

Defendant.

ORDER


Defendant Terry Hyde was scheduled to appear for a Rule 11 hearing on February 24, 2021 to change his plea to guilty. Instead of appearing, he called his attorney and reported car problems. To accommodate Terry Hyde's professed car problems, he was Ordered to appear the next day, February 25, 2021 for his Rule 11 hearing. Instead of appearing, he vanished. On February 26, 2021, the Court issued a warrant for his arrest. The U.S. Marshals have diligently searched for him and, as of yet, have been unable to locate him.

All but one of Terry Hyde's co-Defendants, his brother Charles Hyde, have entered pleas of guilty. The trial of the case is scheduled to begin April 13, 2021. If Mr. Terry Hyde is apprehended before that time, he and his brother will be tried together. If he is not apprehended before that time, Rule 43(a)(2) of the Federal Rules of Criminal Procedure will prevent Terry Hyde's trial from proceeding in his absence, but the trial

of Charles Hyde will proceed. Terry Hyde's Motion to Sever, dkt. no. 342, is **DENIED**.¹ Terry Hyde's Motion Requesting Additional Peremptory Challenges, dkt. no. 374, is **DENIED**.

The Chief Judge of this District has already excluded all time through and including March 31, 2021 for Speedy Trial Act purposes. Dkt. No. 356. The undersigned concurs. In addition to the COVID-19 reasons documented by the Chief Judge, the undersigned expressly finds that the time delay between March 9, 2021 when the trial was scheduled to begin and April 13, 2021 when it now must begin is excluded. That brief continuance was necessary to serve the ends of justice and outweighs the best interest of the public and the Defendants in a speedier trial. 18 U.S.C. § 3161(h)(7). The delay was occasioned by the absence of Defendant Terry Hyde.

SO ORDERED, this 10th day of March, 2021.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Notably, Charles Hyde has never moved for severance. Terry Hyde's motion lacks merit. However, as a practical matter, if he is not apprehended by April 13, 2021, he will have a later, separate trial.